

will focus on sampling and analysis techniques, data review, and quality assurance measures necessary to support reliable trace metals measurements for data gathering and compliance monitoring purposes.

The objective of the public meeting on Streamlining is to outline plans for method flexibility and for streamlining proposal and promulgation of new methods at 40 CFR Part 136 under Section 304(h) of the Clean Water Act.

EPA has promulgated analytical methods at 40 CFR Part 136 as needed to support monitoring under the National Pollutant Discharge Elimination System (NPDES). Methods approved for use at 40 CFR Part 136 have been developed by EPA, by industrial associations, and by other government agencies. In the past, the methods proposal and promulgation process has been cumbersome, and has by design limited the contribution of emerging analytical technologies.

In response to the Administration's Environmental Technology Initiative, EPA desires to increase method flexibility in existing methods and to streamline the proposal and promulgation of new methods to take advantage of these emerging technologies.

The Subjects to be discussed at the meeting are: (1) Flexibility—unlimited, limited, and none, and the advantages of each, (2) standardization of quality control to support determination of method equivalency, (3) streamlined proposal and promulgation of new methods to take advantage of emerging analytical technologies, (4) harmonization of wastewater methods with other Agency methods to allow standardization of methods, and (5) standardized data elements for reporting to allow access to Agency databases in a standardized data format.

Dated: August 23, 1995.

James Hanlon,

Acting Director, Office of Science and Technology.

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[FRL-5286-5]

Availability of State Deferral Guidance and Response to Comments

AGENCY: Environmental Protection Agency.

ACTION: Notice of availability.

SUMMARY: The Agency is informing the public of the availability of two documents concerning the newly established Superfund State deferral

program: "Guidance on Deferral of NPL Listing Determinations While States Oversee Response Actions" (OSWER Directive 9375.6-11), issued on May 3, 1995; and "Response to Comments on the 1988 Proposed NCP Deferral Policy Concept" (OSWER Directive 9375.6-11A), issued on May 3, 1995.

FOR FURTHER INFORMATION CONTACT: The guidance (Order Number PB95-963223) and response to comments (Order Number PB95-963225) are available for \$17.50 each (plus shipping and handling) through the National Technical Information Service (NTIS), 5285 Port Royal Road, Springfield, VA 22161. For further information or to order documents by phone, call 703-487-4650 for Regular Service, or 800-553-NTIS for Rush Service.

SUPPLEMENTARY INFORMATION:

A. Background

The preamble to the 1988 proposed National Oil and Hazardous Substance Pollution Contingency Plan (NCP) announced that the Environmental Protection Agency (EPA) was considering expanding the existing policy of deferring sites from inclusion on the National Priorities List (NPL). The Agency requested and received public comments on its proposal to defer sites to other Federal authorities, States, and/or potentially responsible parties (PRPs). The 1990 preamble to the final NCP stated that EPA would not decide the deferral policy issue at that time, but that should the Agency "decide in the future to consider establishing an expansion to deferral policies," it would respond then to the comments received (*See* 54 FR 8667, Mar. 8, 1990).

B. Summary of Guidance Document

Based on the EPA June 23, 1993, "Superfund Administrative Improvements Final Report" (OSWER Directive 9200.0-14-2), EPA established an initiative to "Enhance State Role." Under this initiative, the Agency developed a guidance on deferring consideration of certain sites for listing on the NPL, while interested States, Territories, Commonwealths, or federally-recognized Indian Tribes compel and oversee response actions conducted and funded by PRPs. This "Guidance on Deferral of NPL Listing Determinations While States Oversee Response Actions" is now complete and is being issued under the 1995 Superfund Administrative Reforms (February 13, 1995, Elliott Laws and Steven Herman memorandum, "Announcement of Superfund Administrative Reforms").

The guidance document has several components to ensure that responses are protective of human health and the environment, and foster public involvement while balancing competing needs for flexibility and accountability. The guidance is divided into sections which address: criteria applicants should meet to participate in the program; criteria for determining which sites are eligible for deferral; provisions for cleanup levels to be achieved at deferred sites; procedural requirements; and provisions for EPA oversight, financial assistance, community participation, and response completion or termination. A "question and answer" appendix supplements the guidance. Under the deferral program:

- NPL caliber sites may be deferred to States or Tribes for response actions that will be conducted under State or Tribal authority (Federal facilities or sites listed on the NPL are not eligible for deferral);
- response actions generally will be conducted by viable, cooperative PRPs with State or Tribal oversight;
- response actions must be protective of human health and the environment and meet State or Tribal and Federal applicable requirements;
- a site may not be deferred if the affected community has significant, valid objections;
- the level of EPA oversight of State actions at deferred sites will be minimal; and
- once a deferral response is complete, the site will be removed from CERCLIS and EPA will have no further interest in considering the site for the NPL unless it receives new information of a release or potential release that poses a significant threat to human health or the environment.

C. Summary of Response Document

The "Response to Comments on the 1988 Proposed NCP Deferral Policy Concept" fulfills the Agency's commitment to respond to the comments EPA received regarding the deferral policy concept introduced in the 1988 proposed NCP. The response addresses the 1988 proposal to defer sites to State authorities and does not consider proposed deferral policies to other authorities or PRPs which are not addressed by the guidance. Major comments are summarized by subject, and responses reflect EPA policy presented in the guidance.

Dated: August 17, 1995.

Elliott P. Laws,

Assistant Administrator for Solid Waste and Emergency Response.

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[FRL-5285-4]

Proposed General NPDES Permit for Concentrated Animal Feeding Operations (CAFO) in Idaho

AGENCY: Environmental Protection Agency, Region 10.

ACTION: Notice of a proposed general permit.

SUMMARY: This proposed reissuance of the CAFO general permit is intended to regulate CAFO activities in the state of Idaho. When issued, the proposed permit will establish limitations, standards, prohibitions and other conditions for covered facilities. These conditions are based on existing national effluent guidelines and material contained in the administrative record. A description of the basis for the conditions and requirements of the proposed general permit is given in the fact sheet published below.

Part I.C. of the proposed permit identifies the facilities which can qualify for coverage under this permit. Parts I.C.7. and 8. specify that facilities that discharge directly or through a man-made device into waters of the United States qualify for coverage under this permit. The Region 10 office of EPA requests comment on whether the universe of facilities to be covered should be expanded to include those facilities which have the potential to discharge.

EXECUTIVE ORDER 12291: The Office of Management and Budget has exempted this action from the review requirements of Executive Order 12291 pursuant to Section 8[b] of that order.

PUBLIC COMMENT PERIOD: Interested persons may submit comments on the draft general permit to EPA, Region 10 at the address below. Comments must be received in the regional office on or before October 27, 1995.

PUBLIC HEARINGS: Public hearings on the permit conditions are scheduled in Boise and Twin Falls, Idaho. The Boise hearing will be held on Wednesday, September 27, 1995, in the 1st Floor Conference Center at the Division of Environmental Quality, Earl Chandler Building, 1410 N Hilton, Boise, Idaho, from 6:30 pm until all persons have been heard. The Twin Falls hearing will be held on September 28, 1995 in Room 117 of the Shields Building at the

College of Southern Idaho, 315 Falls Avenue, Twin Falls, Idaho, also from 6:30 pm until all persons have been heard. Persons interested in obtaining information on the hearings should contact Joe Roberto at the address below.

REQUEST FOR COVERAGE: Written request for coverage and authorization to discharge under the general permit shall be provided to EPA, Region 10, as described in Part I.D. of the draft permit. Authorization to discharge requires written notification from EPA that coverage has been granted and that a specific permit number has been assigned to the operation.

ADDRESSES: Comments on the proposed general permit should be sent to Joe Roberto; U.S. EPA, Region 10; 1200 Sixth Avenue WD-135; Seattle, Washington 98101.

FOR FURTHER INFORMATION CONTACT: Joe Roberto at the Seattle address above or by telephone at (206) 553-1669.

REGULATORY FLEXIBILITY ACT: After review of the facts presented in the notice printed above, I hereby certify pursuant to the provision of 5 U.S.C. 605(b) that this general NPDES permit will not have a significant impact on a substantial number of small entities. Moreover, the permit reduces a significant administrative burden on regulated sources.

Dated: August 17, 1995.

Gregory L. Kellogg,

Acting Director, Water Division.

Fact Sheet

United States Environmental Protection Agency (EPA), Region 10, 1200 Sixth Avenue, WD-134, Seattle, Washington 98101, (206) 553-1214. General Permit No.: ID-G-01-0000.

Proposed Reissuance of a General National Pollutant Discharge Elimination System (NPDES) Permit To Discharge Pollutants Pursuant to the Provisions of the Clean Water Act (CWA)

Idaho Concentrated Animal Feeding Operations (CAFO)

This Fact Sheet includes (a) the tentative determination of the EPA to reissue the general permit, (b) information on public comment, public hearing and appeal procedures, (c) the description of the industry and proposed discharges, and (d) other conditions and requirements.

Persons wishing to comment on the tentative determinations contained in the proposed general permit reissuance may do so by the expiration date of the Public Notice. All written comments

should be submitted to EPA as described in the Public Comments Section of the attached Public Notice.

After the expiration date of the Public Notice, the Director, Water Division, will make final determinations with respect to the permit reissuance. The tentative determinations contained in the draft general permit will become final conditions if no substantive comments are received during the public notice period.

The permit will become effective 30 days after the final determinations are made, unless a request for an evidentiary hearing is submitted within 30 days after receipt of the final determinations.

The proposed NPDES general permit and other related documents are on file and may be inspected at the above address any time between 8:30 a.m. and 4 p.m., Monday through Friday. Copies and other information may be requested by writing to EPA at the above address to the attention of the Water Permits Section, or by calling (206) 553-1214. This material is also available from the EPA Idaho Operations Office, 1435 North Orchard Street, Boise, Idaho 83706.

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